IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

WEDNESDAY, THE 8TH AUGUST 2007 / 17TH SRAVANA 1929

WP(C).No. 19407 of 2007(I)

PETITIONER:

APPUKUTTY NAIR,
MODAKKOTH HOUSE, ORAVIL P.O.,
BALUSSERY, KOZHIKODE DISTRICT.

BY ADV. SRI.T.G.RAJENDRAN

RESPONDENTS:

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1. THE KOYILANDI CO-OPERATIVE AGRICULTURAL AND RURAL DEVELOPMENT BANK LTD. NO.D.2020, BALUSSERY P.O., KOZHIKODE REPRESENTED BY ITS SECRETARY.

2. THE SPECIAL SALE OFFICER, THE KOYILANDI CO-OPERATIVE AGRICULTURAL AND RURAL DEVELOPMENT BANK LTD. NO.D.2020, BALUSSERY P.O., KOZHIKODE.

R1 BY ADV. SRI.B.V.JOY SANKER
R2 BY GOVT. PLEADER SRI. P.K. RAVIKRISHNAN.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 08/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WPC. 19407/2007.

APPENDIX

PETITIONER'S EXTS:

EXT. P1 : TRUE COPY OF THE SALE NOTICE ISSUED BY THE BANK TO THE PETITIONER DATED 23.3.2007.

EXT. P2 : TRUE COPY OF THE REMITTANCE SLIP DATED 22.5.2007.

EXT. P3 : TRUE COPY OF THE SALE NOTICE ISSUED BY THE 2ND RESPONDENT TO THE PETITIONER DATED 23.5.2007.

K.M.JOSEPH, J.

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WP.(C) No. 19407 of 2007

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Dated this the 8th day of August, 2007

JUDGMENT

The petitioner challenges Ext.P3. The further prayer is for a direction to give a statement showing the balance arrears in the loan account and allow the petitioner to remit the amount in instalments after deducting the penal interest.

2. Heard counsel for the respondents also. It is submitted that the property has been sold and purchased by the Bank. The confirmation is ofcourse kept pending.

The writ petition is disposed of directing the first respondent to give a statement showing the balance of arrears in the loan account. The petitioner is permitted to pay off the amount due with interest in six equal monthly instalments. The amount of instalment shall be calculated in the statement on the basis that the petitioner has to pay it in six monthly instalments. The statement as aforesaid will be served within two weeks from today. The first instalment shall be paid by the petitioner on or before 4.9.2007. The further instalments are to be paid

on or before the 4th of the succeeding months. In case of default in payment of any single instalment, the petitioner will lose the benefit of this judgment and the sale can be confirmed in accordance with law.

(K.M. JOSEPH, JUDGE)

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